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Attorneys for Defendant
CHART INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

*IN RE PACIFIC FERTILITY CENTER
LITIGATION*

Case No. 3:18-cv-01586-JSC

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEADLINE TO
FILE AMENDED THIRD-PARTY
COMPLAINT**

Judge: Hon. Jacqueline S. Corley
Place: Courtroom E, 15th Floor

Pursuant to Local Rules 6-1(b), 6-2, and 7-12, Defendant and Third-Party Plaintiff Chart Inc. (“Chart”), and Third-Party Defendants San Francisco Fertility Centers, d/b/a Pacific Fertility Center, Joseph Conaghan, PhD, Eldon D. Schriock, M.D., Carolyn R. Givens, M.D., Philip E. Chenette, M.D., Carl M. Herbert, M.D., Liyun Li, M.D., and Isabelle P. Ryan, M.D. (collectively, “Third-Party Defendants”), by and through their respective counsel, respectfully submit this Stipulation and [Proposed] Order extending the deadline for Chart to file its Amended Third-Party Complaint.

WHEREAS, on October 10, 2019, Chart filed a Third-Party Complaint against the Third-Party Defendants (Dkt. 288).

WHEREAS, on December 10, 2019, the Third-Party Defendants (except for Dr. Conaghan) filed a Motion to Dismiss the Third-Party Complaint (Dkt. 339) (“PFC’s Motion to Dismiss”).

WHEREAS, on January 16, 2020, Dr. Conaghan filed a Motion to Dismiss the Third-Party Complaint (Dkt. 362) (“Conaghan’s Motion to Dismiss”).

WHEREAS, Chart filed oppositions to PFC’s Motion to Dismiss and Conaghan’s Motion to Dismiss on January 14 and January 30, 2020, respectively (Dkts. 360, 378).

WHEREAS, on January 28, 2020, the Third-Party Defendants (except for Dr. Conaghan) filed a reply in support of PFC’s Motion to Dismiss (Dkt. 375).

WHEREAS, on February 6, 2020, Dr. Conaghan filed a reply in support of Conaghan’s Motion to Dismiss (Dkt. 382).

WHEREAS, at the February 27, 2020, hearing on the motions to dismiss, the Court dismissed the Third-Party Complaint with leave to amend within 21 days.

WHEREAS, on March 18, 2020, Chart and the Third-Party Defendants stipulated to extend the deadline to file the Amended Third-Party Complaint until April 9, 2020, and the Court so ordered (Dkt. 425).

WHEREAS, on April 9, 2020, Chart and the Third-Party Defendants stipulated to extend the deadline to file the Amended Third-Party Complaint until April 23, 2020, and the Court so ordered (Dkt. 430).

1 WHEREAS, given ongoing meet and confer efforts among Chart and the Third-Party
 2 Defendants, Chart and the Third-Party Defendants have stipulated and agreed to extend Chart's
 3 deadline to file its Amended Third-Party Complaint for thirty (30) days, through and including
 4 May 25, 2020.

5 NOW, THEREFORE, Chart and the Third-Party Defendants, through their respective
 6 counsel, hereby stipulate that Chart's deadline to file its Amended Third-Party Complaint is
 7 extended until **May 25, 2020**.

8 **IT IS SO STIPULATED.**

9
 10 Dated: April 23, 2020

By: /s/ Molly Moriarty Lane
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*Counsel for Defendant and Third-Party
 Plaintiff CHART INC.*

17
 18
 19 Dated: April 23, 2020

By: /s/ Aaron T. Schultz
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 LI, M.D.; and ISABELLE P. RYAN, M.D.*

1
2 Dated: April 23, 2020

By: /s/ Julie Y. Park
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Counsel for Third-Party Defendant
JOSEPH CONAGHAN, PhD

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12 **FILER'S ATTESTATION**

13 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Molly Moriarty Lane, attest that
14 concurrence in the filing of this document has been obtained.

15 Dated: April 23, 2020

/s/ Molly Moriarty Lane
Molly Moriarty Lane

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19
20 **~~PROPOSED~~ ORDER**

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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23 Dated: April 24, 2020


HON. JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE